

## **PARTIAL NPDES PROGRAM AUTHORIZATION FOR OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY (ODAFF)**

### **Proposed Action**

The Oklahoma Department of Agriculture, Food, and Forestry (ODAFF) is seeking authorization from EPA to administer a partial National Pollutant Discharge Elimination System (NPDES) program for discharges under the jurisdiction of the Department as stated in Section 1-3-101 of Title 27A of the Oklahoma statutes. The AgPDES program administered by the Department would cover all discharges except for those beyond the Department's statutory authority or territorial jurisdiction. Discharges within "Indian Country," as defined in 18 U.S.C. § 1151 are outside ODAFF jurisdiction. The Oklahoma discharges subject to regulation under the federal NPDES program and the AgPDES program administered by the Department are discharges associated with concentrated animal feeding operations ("CAFO"), discharges from the application of biological or chemical pesticides that leave a residue, discharges resulting from silviculture activities, and point source discharges of storm water from agricultural activities.

On August 16, 2012, EPA received from the Governor of Oklahoma a request for partial NPDES program authorization for discharges relating to programs established pursuant to ODAFF's environmental jurisdiction. EPA expects to determine if this program application is administratively complete no later than September 14, 2012. Once determined administratively complete, final program authorization documents will be made available for public review and comment. Notice of availability of the documents and the dates for a 45 day public comment period will be made through the Federal Register. A public hearing will be held in Oklahoma during the public comment period.

***Check back for the notice of final documents, information on the public comment period, and the time and place for the public hearing.***

**Proposed Program Authorization Documents formally submitted by the state of Oklahoma and received at EPA, Region 6 on August 16, 2012:**

*(Insert ~20 docs including Letter of Request from the Governor of Oklahoma , Statement of Legal Authority, Memorandum of Agreement between EPA and ODAFF, Program Description (11 chapters w/ 2 Appendices), Enforcement Management System (5 chapters), Applicable Oklahoma Regulations, and Applicable Oklahoma Statutes)*

**Federal Register Notice Announcing Administrative Completeness, Availability of Program Authorization Documents for Public Review and Comment, and Notice of Public Hearing**

*Check back here.*

**Administratively Complete Program Authorization Documents for public review and comment:**

*Check back here.*

## **Public Hearing Place, Date and Time**

*Check back here.*

### **For more information regarding this action, please contact:**

Denise Hamilton, NPDES Permit Oversight Coordinator for Oklahoma  
Email at [Hamilton.Denise@epa.gov](mailto:Hamilton.Denise@epa.gov), Telephone (214) 665-2775

### **For information regarding copies of documents, please contact:**

Diane Smith  
Email at [smith.diane@epa.gov](mailto:smith.diane@epa.gov), Telephone (214) 665-2145

### **For information regarding Tribal consultation procedures, please contact:**

Christina Kracher, Tribal Consultation Coordinator  
Email at [Kracher.Christina@epa.gov](mailto:Kracher.Christina@epa.gov), Telephone (214) 665-8054

Note: EPA is engaging federally recognized Tribes in Oklahoma in government to government consultation regarding Oklahoma's program authorization request and affects this may have on Tribes. Consultation is conducted in accordance with the *EPA Policy on Consultation and Coordination with Indian Tribe*. Details regarding this consultation are available at:  
<http://yosemite.epa.gov/oita/TConsultation.nsf/TC?OpenView>

## **Helpful Links:**

- Oklahoma statute Title 27(a), delineating statutory authority for ODEQ and ODAFF.
  - <http://www.oklegislature.gov/osstatuestitle.html>
- EPA Region 6 - NPDES General Permit for Discharges from CAFOs in Oklahoma (OKG010000)
  - <http://ww.epa.gov/region6/water/npdes/cafo/index.htm>
- EPA Region 6 - NPDES Storm Water Discharges Associated with Construction Activities (CGP)
  - <http://epa.gov/Region6/water/npdes/sw/construction/index.htm>
- EPA - NPDES Pesticide General Permit (PGP)
  - [http://cfpub.epa.gov/npdes/home.cfm?program\\_id=410#permit](http://cfpub.epa.gov/npdes/home.cfm?program_id=410#permit)
- Tribal Consultation

- <http://www.epa.gov/tribal/consultation/consult-policy.htm>